HUMAN RESOURCES

Criminal Conviction History of Candidates for Employment

Pursuant to Regulations 501.03-1 and 501.04-1, the Department of Human Resources shall obtain a criminal history record from the Virginia State Police Central Criminal Records Exchange. The Director of Human Resources (or designee) shall examine the convictions listed on the application for employment. An investigation of the candidate may be conducted with the approval of the appropriate Associate Superintendent. An offer will be withdrawn, or, if applicable, a recommendation will be made to the School Board to revoke the offer of employment if the candidate has a conviction record that is incompatible with the nature of the job. The Director of Human Resources (or designee) shall apply the rules set forth below.

I. For all positions, the Director of Human Resources (or designee) shall consider the convictions enumerated in Virginia Code Section 22.1-296.1, as currently in effect, or any successor statute.

II. For positions involving custody of cash, of property with a value over $1000, or of children, the Director of Human Resources (or designee) shall consider all criminal convictions of which he/she has knowledge.

III. The following factors shall be considered in making a recommendation for revocation of the employment offer: the time, nature, and number of convictions; the facts surrounding each offense; the job relatedness of each conviction, the length of time between a conviction and the employment decision; the candidate's employment history before and after the conviction; and the candidate's efforts at rehabilitation.

IV. No conviction which has been expunged by a court shall be considered.

V. If the criminal history record, the candidate's application, and investigation report omit convictions that are manifestly inconsistent with the safe and efficient operation of the School Division, a recommendation for dismissal of the employee will be made to the School Board when the conviction is discovered.

VI. All criminal history records shall be confidential Human Resource records. The Department of Human Resources shall maintain the confidentiality of the record and its contents. If the School Board revokes a candidate's offer of employment because of information appearing on the criminal history record, the Director of Human Resources (or designee) shall give the candidate a copy of the information obtained from the Central Criminal Records Exchange.
The Associate Superintendent for Human Resources (or designee) shall be responsible for the implementation and monitoring of this regulation.

The Associate Superintendent for Human Resources (or designee) shall be responsible for reviewing this regulation in 2016.